

FEDERAL NORTHERN DISTRICT COURT  
IN AND FOR THE STATE OF CALIFORNIA

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People of the State of California

Respondent

V

Barth D. Capela

Petitioner

2007 DEC 10 P 3:14

Motion to withdraw the Motion

for stay and Abeyance

case no. H028273

cit.no.H028273

cit.no.S143236

27.4734SBA

To the Northern District Court San Jose Div.

Petitioner respectfully applies to this Court to withdraw previous motion for a stay of Judgement. Petitioner no longer believes Habeas filed in the lower Court has merit and is exhausted.

Petitioner went on the advise of a jailhouse Lawyer And that advise proved to be without merit. Petitioner lacks the skills of an Attorney and is in desperate need of an Attorney on the case in this Court.

Respectively submitted

Today's Date December 5, 2007

FILED

DEC 11 2007

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

*Barth D. Capela*

Barth D. Capela #V-58262

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CALIFORNIA

# DEEP CUTS

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*Legal Mail*